

ORDINANCE NO. 2008-24

SIDEWALK MAINTENANCE AND REPAIR

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance imposes tort liability on the owner or owners of property abutting a sidewalk if a member of the public is injured while on the sidewalk and the injury is the result of the owners' failure to maintain the sidewalk.

SECTION II. Division 1016 is added to the County Ordinance Code, to read:

**DIVISION 1016
SIDEWALKS**

**Chapter 1016-2
SIDEWALK MAINTENANCE AND REPAIR**

1016-2.002 Definitions. For purposes of this chapter, the following terms have the following meanings:

- (a) "Adjacent owner" means the owner of a lot or portion of a lot fronting a sidewalk who has a duty pursuant to Chapter 22 of Part 3 of Division 7 of the Streets and Highways Code to maintain and repair that sidewalk.
- (b) "Sidewalk" has the meaning set forth in Streets and Highways Code section 5600. (Ord. 2008-24 §2.)

1016-2.004 Duty to Maintain Owed to Public. An adjacent owner owes a duty to members of the public to maintain the sidewalk abutting the adjacent owner's property in a condition that does not endanger the public. (Ord. 2008-24 §2.)

1016-2.006 Adjacent Owner's Liability. If an adjacent owner's failure to maintain the sidewalk abutting the property results in a condition that is a danger to the public, and a person suffers injury or damage while on the sidewalk, the adjacent owner is liable to the injured person for the injury or damage caused by the dangerous condition. (Ord. 2008-24 §2.)

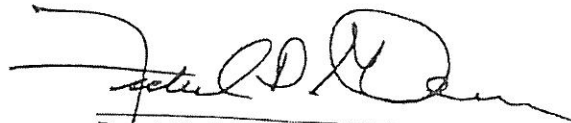
1016-2.008 Joint and Several Liability. If more than one party is an adjacent owner, the obligations and liabilities established by this chapter are joint and several as to each party. (Ord. 2008-24 §2.)

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the Contra Costa Times, a newspaper published in this County.


PASSED on SEPTEMBER 23, 2008, by the following vote:

AYES:	SUPERVISORS GIOIA, UILKEMA, PIEPHO, BONILLA AND GLOVER
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

ATTEST: DAVID TWA
Clerk of the Board of Supervisors
and County Administrator


Board Chair

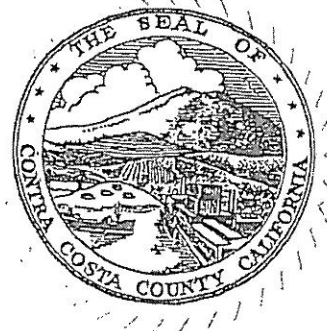
By:


Deputy

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